

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: HB 291 HLS 10RS 398

Bill Text Version: ENROLLED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Table with 2 rows and 2 columns. Row 1: Date: June 21, 2010 10:09 AM, Author: WOOTON. Row 2: Dept./Agy.: Corrections, Analyst: Matthew LaBruyere. Subject: Sex Offenses.

CRIME/SEX OFFENSES EN INCREASE GF EX See Note Page 1 of 1
Provides increased penalties for Internet solicitation of a minor resulting in actual sexual conduct

The proposed legislation retains the present law and adds that when the computer-aided solicitation of a minor results in actual sexual conduct between the offender and victim and the difference between the age of the victim and the age of the offender is five years or greater, the offender shall be fined not more than \$10,000 and shall be imprisoned, with or without hard labor, for not less than 7 years nor more than 10 years.

Table with 7 columns: EXPENDITURES, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total. Similar structure for REVENUES.

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable since it adds a provision to the current crime and it is not known how many people will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$54.49. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

To the extent a person is convicted of this crime, he must be incarcerated for at least 7 years. The cost to incarcerate an offender for 7 years at the local level would be \$62,314 (\$8,902 per year x 7 years). If the offender is housed at a state correctional facility the cost to incarcerate for the same period would be \$139,223 (\$19,889 per year x 7 years).

There are currently 22 offenders incarcerated for computer-aided solicitation of minors with an average sentence of 5.86 years. In 2009, there were no admissions, but there were 13 releases with an average time served of 1.1 years. In 2008, there were 25 admissions with an average sentence of 2.7 years and 16 releases with an average time served of 0.9 years.

REVENUE EXPLANATION

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

Senate Dual Referral Rules House
[] 13.5.1 >= \$100,000 Annual Fiscal Cost [] 6.8(F) >= \$100,000 Annual SGF Cost
[] 13.5.2 >= \$500,000 Annual Tax or Fee Change [] 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease
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